

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

JOHN DOES 1 THROUGH 7,

Plaintiffs,

v.

Case No.: 3:20-mc-00206-FDW-DSC

THE TALIBAN, AL-QAEDA,
and THE HAQQANI NETWORK,

Defendants.

ORDER

UPON DUE CONSIDERATION of Plaintiffs' Motion for Release of Funds Held by Bank of America, N.A., and all legal authorities cited therein, including the Terrorism Risk Insurance Act of 2002 ("TRIA"), §201(a), 28 U.S.C. § 1610 note; Plaintiffs' supporting expert witness affidavit and appendix; and Fed. R. Civ. P. 69(a) and the applicable North Carolina statutes governing procedures on post-judgment execution; it is:

ORDERED AND ADJUDGED as follows:

- 1) This Court has subject matter jurisdiction to administer post-judgment proceedings pursuant to TRIA § 201.
- 2) Plaintiffs' Motion for Release of Funds Held by Bank of America, N.A. is hereby granted.
- 3) The Court concludes that Plaintiffs, through their extensive submissions, have adequately established that:
 - (a) they have obtained judgment against terrorist parties (the Taliban, Al-Qaeda, and the Haqqani Network);

(b) the judgment is based on an act of terrorism;

(c) the assets which Plaintiffs seek to execute on are “blocked assets” as that term is defined under TRIA;

(d) the total amount of the execution does not exceed the amount outstanding of the compensatory portion of judgment; and

(e) Waldemar Lorenzana Lima is an agency or instrumentality of the Taliban, Al-Qaeda and/or the Haqqani Network. Thus, his blocked assets are subject to attachment and execution pursuant to the TRIA.

4) The Court further finds that Plaintiffs have satisfied all post judgment requirements pursuant to North Carolina law; and

5) Defendants are in default in these proceedings. Waldemar Lorenzana Lima was provided notice of these proceedings and failed to respond.

6) The Court hereby directs Bank of America to surrender to Plaintiffs’ counsel funds equivalent to \$ 362,298.63, within ten (10) business days from the date of the order, less reasonable costs and fees incurred by Bank of America in this proceeding.

Upon completion of the requirements herein, Bank of America, NA and Ayco Farms, Inc. will be released from any liability to Waldemar Lorenzana Lima (or anyone else with claimed ownership rights to the blocked funds) for the amount of the funds surrendered to Plaintiffs, and discharged from this action for compliance with the Order of the Court.

DONE and ORDERED this _____ day of _____, 2021.

FRANK D. WHITNEY
UNITED STATES DISTRICT JUDGE

Copies furnished to:
All counsel of record
Bank of America, NA
101 N. Tryon Street,
Charlotte, NC 28202

Ayco Farms, Inc.
1501 NW 12th Avenue
Pompano Beach, FL 33069

Waldemar Lorenzana Lima
Rivers Correctional Facility
145 Parker's Fishery Road,
PO Box 840, Winton, NC 27986
Inmate Reg. Number: 33342-016